



*Commonwealth of Virginia*

*Office of Governor Bob McDonnell*

October 4, 2011

Dear Local Government Official:

As Governor, I recognize Virginia's economy continues to face challenging times. We have made progress in reducing unemployment levels by retaining and expanding existing jobs while attracting new jobs to Virginia and producing a state budget surplus, but we must continue to remain diligent in our efforts.

Reforming government to make it more efficient and less burdensome is an ongoing priority. In an effort to continue to reduce the burden placed on localities and in response to your feedback and requests, I have taken several steps to help address local government financial difficulties.

I have announced the Governor's Task Force for Local Government Mandate Review, provided by legislation passed during the 2011 General Assembly Session by Senator Steve Newman (R – Bedford County). Senator Newman's bill, SB 1452, provides that the Commission on Local Government shall assist a five-member task force to be appointed by the Governor to review state mandates imposed on localities and to recommend temporary suspension or permanent repeal of such mandates.

The following citizens will serve on the Governor's Task Force for Local Government Mandate Review:

- The Honorable Bob Dyer, Member, Virginia Beach City Council
- The Honorable Pat Herrity, Springfield District Supervisor, Fairfax County Board of Supervisors
- The Honorable Shaun Kenney, Vice-Chair, Fluvanna County Board of Supervisors
- Kimball Payne, City Manager, City of Lynchburg
- The Honorable Joan E. Wodiska, Member, Falls Church City School Board and President-elect of the Virginia School Boards Association

Additionally City Councilwoman Alicia Hughes of Alexandria and Councilwoman Suzy Kelly of Chesapeake will serve as the Government Reform Commission liaisons to the Task Force.

To assist this effort, I strongly urge all local governments to provide the Task Force with a comprehensive, written list of every state mandate that they believe should be modified or eliminated. There is a list of mandates for your review which you can find at <http://www.dhcd.virginia.gov/CommissiononLocalGovernment/pages/newcatalog.htm>.

In particular, I am interested in areas where the burden can be lifted entirely and both local government and the state can live without the mandate in order to save money. This list of unfunded mandates has been previously requested, and it is critical that the Task Force receive your careful input for consideration. I recently received suggestions from the Virginia Municipal League and the Virginia Association of Counties. While this is a good start, please do not let this opportunity to share your ideas on unfunded mandates which should be eliminated pass. I cannot assist the localities without your assistance and cooperation.

As such, I encourage you to submit recommendations to the Task Force by contacting Susan Williams at [MandateRelief@dhcd.virginia.gov](mailto:MandateRelief@dhcd.virginia.gov).

Also, the Code of Virginia, § 2.2-113, provides the Governor with authority to temporarily suspend state mandates on localities "upon a finding by the locality that it faces fiscal stress and the suspension of the mandate or portion thereof would help alleviate the fiscal hardship." Until July 1, 2012, I can suspend such mandates for up to two years. I take seriously the weight on local governments that is made worse during difficult financial times just as state governments are seeking relief from burdensome unfunded federal mandates. As such, I invite your local government to apply for temporary suspension of burdensome mandates following approval by your governing body as required in § 2.2-113.

Please contact Susan Williams at [MandateRelief@dhcd.virginia.gov](mailto:MandateRelief@dhcd.virginia.gov) with any questions and to submit your request.

It is my first priority to create an environment of opportunity for all Virginians, and our local governments have an important role in this effort. Thank you for your leadership and continued service to the Commonwealth. Although we have endured a difficult period of economic uncertainty, I appreciate the role you have played in continuing to make the Commonwealth a better place to live and work for our citizens.

Sincerely,

A handwritten signature in cursive script, reading "Robert F. McDonnell".

Robert F. McDonnell

Enclosure: § 2.2-113. Temporary suspension of state mandates.

CC: Members of the Virginia General Assembly

Virginia Municipal League

Virginia Association of Counties

**§ 2.2-113. Temporary suspension of state mandates.**

A. The Governor may suspend, temporarily and for a period not to exceed one year, any mandate, or portion thereof, prescribed by any unit of the executive branch of state government on a county, city, town, or other unit of local government upon a finding that it faces fiscal stress and the suspension of the mandate or portion thereof would help alleviate the fiscal hardship.

However, for a period beginning July 1, 2010, and ending July 1, 2012, the Governor may suspend any such mandate for a period not to exceed two years upon proper application by a locality pursuant to this section.

B. No application shall be made by the locality until approved by resolution of the governing body.

C. At the time of application, the following information shall be published in the Virginia Register: (i) the name of the petitioning locality, (ii) the mandate or portion thereof requested to be suspended, (iii) the impact of the suspension of the mandate on the ability of the local government to deliver services, (iv) the estimated reduction in current budget from the suspension, and (v) the time period requested for suspension. Publication in the Virginia Register shall occur at least 20 days in advance of any suspension by the Governor.

D. No later than January 1 of each year, the Governor shall submit to the General Assembly a report that identifies each petitioning locality, the mandate or portion thereof for which suspension was sought, and the response provided to the locality.

E. Nothing in this section shall apply to the Department of Education.

In making a determination of fiscal stress, the Governor may consider, but is not limited to, the following factors: any changes in anticipated revenue, income distribution of residents, revenue effort, revenue capacity, and changes in local population and employment levels.

(1991, c. 638, § 2.1-51.5:1; 1993, c. 230; 1994, c. [158](#); 2001, c. [844](#); 2003, c. [169](#); 2010, c. [79](#).)